

Summit Hill Borough Council
August 9, 2010, 7:00 p.m., Borough Hall

The regular scheduled meeting of the Summit Hill Borough Council was held at the above time and place with President Joseph Weber presiding.

Roll Call – President Joseph Weber, Vice-President John O’Gurek, Mike Alabovitz, Ken Boyd, Harry Miller, Mike Kokinda, William Chapman and Mayor Paul McArdle were all in attendance. Solicitor Joe Matika was absent.

Minutes – **Motion was made by John O’Gurek and second by Harry Miller to approve the minutes from the July 12, 2010 Summit Hill Borough Council Meetings.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Floor –

1. Joni Gestl and Jason Pezzuti, from the Lehighon Ambulance Association, talked to Council about getting a more permanent structure in Summit Hill. Joni asked Council if they would write a letter to the Department of Environmental Protection in regards to the moratorium on public sewer access and in the interest of Lehighon Ambulance placing a sub-station on the vacant property of East Ludlow Street. They are asking that the exemption be filed on the basis of an essential service of which exceptions have been granted in the past by DEP. She stated that they spoke with the Wilkes Barre office and they are requesting a letter from the Summit Hill Borough requesting this exception. The letter should also note that no sewer mains will be required to be extended in order for the connection. **Motion was made by Bill Chapman and second by Mike Kokinda to write the letter to DEP on behalf of the Lehighon Ambulance Association asking for an exemption on the moratorium on the public sewer access to place a substation on the property located on East Ludlow Street.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Sharon Chapman talked to Council about the Ludlow Park update and upgrade. She said that after reading the revised outline she understands that municipalities, re-development authorities or development agencies are the only people who are able to apply for this grant money. Sharon is asking the Borough to apply for the grant on behalf of SHCIO. The project will entail Victorian lamps, updating the electric in the park and excavating, pavers for the existing paths and beneath the existing park tables, replace the sidewalk on the Holland Street side and would also like to add a few more tables and benches to the park. Sharon said that a \$100.00 check needs to be submitted with the application and SHCIO will supply that. She added that she has done most of the leg work for this project and the application needs to be sent by the end of September and there will be a decision by the end of December. **Motion was made by Mike Alabovitz and second by Ken Boyd for the Borough to apply for the Community Improvement Grant on behalf of SHCIO to update Ludlow Park.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
3. Leroy and Ruthann Hagerty, 250 East Holland Street, spoke to Council regarding Daniel Dopira’s fence. He said that he filled out a permit for his additional sign and he thinks that Daniel should comply as well. Ruthann stated that she asked the state inspector to come look at the fence and he does not want to get involved. Joe Weber said that he does not believe that it is a state inspector issue; he said that it is either a zoning ordinance or sub-division issue. Bill Chapman said that would be something that we need to discuss with Larry Marek and Atty. Matika to get some answers.

Mayor's Report – Nothing at this time

Police Report – Council received copies of Chief Fittos' Police report for the month of July 2010. Bill Chapman said that there are kids on skateboards and bikes riding down the middle of the street and there are no lights and someone is going to end up getting hurt. Chief Fittos is requesting permission to send two full time officers to Active Shooter Training hosted by the Counter Terrorism Task Force on August 20th and 21st. This will be held in the East Stroudsburg Area; there is no cost for this training and the training deals with an active shooter in a school setting. **Motion was made by Bill Chapman and second by Harry Miller to allow two full-time officers to attend the active shooter training hosted by the Counter Terrorism Task Force on August 20th and 21st at no cost to the Borough.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. **Motion was made by Ken Boyd and second by Mike Kokinda to accept the Police Report for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council

Planning and Zoning Report – Council received copies of Larry Marek's Planning and Zoning report for the month of July 2010. **Motion was made by Mike Kokinda and second by Bill Chapman to accept the Planning and Zoning Report for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Work Leader Report – Council received copies of the Work Leader Report for the month of July 2010. Bill Chapman said that picking up litter needs to be addressed. Chief Fittos said that he has already addressed these issues with the officers and that there are two groups of youths that are picking up the trash. Kira stated that they are moving the benches. Chief Fittos said that we are going to need to put signs up before the police can address this issue. **Motion was made by Mike Kokinda and second by Bill Chapman to accept the Work Leader Report for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Tax Collector Report – Borough Secretary, Kira Michalik, read the Tax Collector's Report for the month of July 2010. Alice Kane submitted total taxes of \$55,032.98 with a commission of \$2,751.64. **Motion was made by Bill Chapman and second by Harry Miller to accept the Tax Collector Report for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Wage Tax Report – Borough Secretary, Kira Michalik, read Berkheimer's Wage Tax Report for the month of July 2010. They submitted total Earned Income Tax of \$18,037.64 with a commission of \$332.08. The total LST submitted for July was \$35.42 with a commission of \$0.00. **Motion was made by Bill Chapman and second by Mike Kokinda to accept the Wage Tax Report for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Receipts – Borough Secretary, Kira Michalik, reported the total receipts for the month of July 2010 as \$65,003.51. **Motion was made by Mike Kokinda and Second by John O'Gurek to accept the receipts for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Committee Reports –

Streets –

- John O'Gurek said they are paving on Pine Street. He mentioned that there was a water issue there and the road needed to be repaired.

Building – nothing at this time

Fire and Emergency Services-

- Shawn Hoben said that the dedication went well. The Golf Tournament will be held on Sunday, August 15, 2010 and the flower sale is scheduled for the weekend before Labor Day.

Recreation –

- Monica Marshall talked to Council about the committee for the community center. She wanted to know who has the authority to give permission as to who can rent out the hall. Bill Chapman said that a meeting was supposed to be scheduled to further discuss this matter. Joe Weber said that we agreed to have a meeting to get a list together of what groups can use the hall at no cost and to decide who can approve events that are going to take place in the hall.
- Monica asked when the swing sets will be taken down at the Little League Field. She also asked Council about the basket ball courts on Amidon and Market Streets. She told Council that Recreation will be holding a kids picnic in Ludlow Park on August 22, 2010.
- Monica gave Council contracts for the Community Room for approval. There will be a Birthday party on August 21, 2010 and a Bridal Shower on August 29, 2010. **Motion was made by Bill Chapman and second by Mike Kokinda to approve the contracts for the Community Room on August 21, 2010 for a Birthday Party and on August 29, 2010 for a Bridal Shower.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Motion was made by Bill Chapman and second by Mike Kokinda to accept all Committee Reports for the month of July 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications – See attached sheet.

- Larry Scotto sent a request asking permission to use the gazebo for a wedding on August 28, 2010 at 2 p.m. **Motion was made by Bill Chapman and second by Mike Kokinda to approve the request from Larry Scotto to use the gazebo for a wedding on August 28, 2010 at 2:00 p.m.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
- Claudia Sokol sent a request asking permission to use the gazebo for a wedding on August 28, 2010 at 12 p.m. **Motion was made by Bill Chapman and second by Mike Kokinda to approve the request from Claudia Sokol to use the gazebo for a wedding on August 28, 2010 at 12:00 p.m.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Communications

1. Notice of Assessment from the Carbon County Board of Assessment and Revision of Taxes
2. Notice of change of 2010 Tax Duplicate for St. Stan's Church from the Carbon County Board of Assessment and Revision of Taxes
3. Governor's Center for Local Government Services will be holding the following seminars:

- a. Roadside Tree Care
- b. Basic Training for Elected Auditors
- c. Developing and managing Your Municipal Budget
4. PSAB will be holding the following seminars:
 - a. Managing a Professional Police Department
 - b. Collecting Delinquent Municipal Fees
 - c. TEAM Labor & Employment Law
5. PSAB Fall Leadership Conference will be held October 15-17, 2010 in Wyndham, Gettysburg
6. PLGIT Second Quarter 2010 newsletter
7. Information from David M. Sanko, Executive Director regarding the state budget
8. Summit Hill Water Authority 2009 Annual Report (audit)
9. Borough of Summit Hill 2009 Annual Report (audit)

Motion was made by Ken Boyd and second by Mike Kokinda to accept all Communications for the month of July 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Bills – Borough Secretary, Kira Michalik, reported total expenses for the month of July 2010 as \$81,477.54. **Motion was made by Bill Chapman and second by Harry Miller to pay all bills for the month of July 2010.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

Unfinished Business –

1. Joe Weber read a letter for Atty. Matika regarding adopting guidelines for the Summit Hill Police Officers to follow when making authorized warrantless arrests in summary cases. He stated that this resolution is required by Title 42 of the Pennsylvania Consolidated Statutes as well as the standard operating procedures in place with the Police Department. **Motion was made by Mike Alabovitz and second by Mike Kokinda to adopt resolution 2010-2 guidelines for the Summit Hill Police officers to follow when making authorized warrantless arrests.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

New Business –

1. Harry Miller presented Council with four exemptions for the 2010 garbage collection fee.
 - a. 112 E. Hazard Street. **Motion was made by Harry Miller and second by Ken Boyd to approve 112 E. Hazard Street for a garbage exemption for the 2010 collection fee retroactive from the date of the application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 - b. 27 W. White Street. **Motion was made by Harry Miller and second by Ken Boyd to approve 27 W. White Street for a garbage exemption for the 2010 collection fee retroactive from the date of the application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
 - c. 143 W. Fell Street. **Motion was made by Harry Miller and second by Ken Boyd to approve 143 W. Fell Street for a garbage exemption for the 2010 collection fee retroactive from the date of the application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

- d. 200 E. Holland Street. **Motion was made by Harry Miller and second by Ken Boyd to approve 200 E. Holland Street for a garbage exemption for the 2010 collection fee retroactive from the date of the application.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.
2. Harry Miller reported one handicap parking permit has been submitted for renewal.
 - a. Lois Ciavaglia, 342 West Iron Street, for renewal. **Motion was made by Harry Miller and second by Bill Chapman to approve the renewal of a handicap application for Lois Ciavaglia at 342 West Iron Street with the additional fees waived based on their income.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council
3. Kira mentioned to Council that Miller Bros. submitted their request for final payment. Mike Kokinda said that we shouldn't pay them until all the punch list items are complete. Joe Weber pointed out that the request was not signed by the architect and suggested this be tabled until the issues are addressed. Council agreed.
4. Kira presented Council with an invoice from Community Programs in the amount of \$4,800.00, for services provided. **Motion was made by John O'Gurek and second by Mike Kokinda to pay the invoice for Community Programs in the total amount of \$4,800.00.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council. Mike Alabovitz opposed.
5. Kira read a letter from Jim Holmes asking to be reappointed to another three year term on the Appeals Board. **Motion was made by Mike Alabovitz and second by Mike Kokinda to reappoint Jim Holmes to serve another 3 year term on the Appeals Board.** The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.

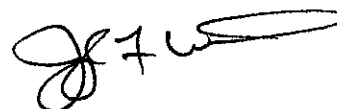
Council entered into a short executive session at 7:54 p.m. to discuss potential litigation.

Council entered back into regular session at 8:10 p.m.

Motion was made by John O'Gurek and second by Ken Boyd to adjourn at 8:12 p.m. until the next regular scheduled meeting of the Summit Hill Borough on September 13, 2010. The motion was opened to the floor for comment; none made. Motion carried unanimously by Council.



Kira Michalik
Summit Hill Borough
Secretary/Treasurer



Joseph Weber
Summit Hill Borough
Council President